

Steve W. Berman (*Pro Hac Vice*)
Ashley Bede (*Pro Hac Vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com
ashleyb@hbsslaw.com

Bruce L. Simon (CA SBN 96241)
Aaron M. Sheanin (CA SBN 214472)
Benjamin E. Shiftan (CA SBN 265767)
PEARSON, SIMON & WARSHAW, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
bsimon@pswlaw.com
asheanin@pswlaw.com
bshiftan@pswlaw.com

Plaintiffs' Interim Co-Lead Class Counsel

[Additional counsel listed on sig. page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID CAP ANTITRUST
LITIGATION

CASE NO. 14-md-2541-CW

**STIPULATION AND [PROPOSED]
ORDER RE INCORPORATION OF
HARTMAN CLAIMS IN
CONSOLIDATED AMENDED
COMPLAINT AND COORDINATION OF
DISCOVERY FROM HARTMAN
PLAINTIFFS**

This Document Relates to:

ALL ACTIONS EXCEPT

Jenkins v. Nat'l Collegiate Athletic Ass'n,
Case No. 4:14-02578-CW

This Document Also Relates to:

Hartman et al. v. Nat'l Collegiate Athletic Ass'n, et al., Case No. 4:15-cv-00178-JCS

WHEREAS on January 23, 2015, Plaintiffs Justine Hartman and Afure Jemerigbe filed an Administrative Motion to Consider Whether *Hartman, et al. v. National Collegiate Athletic Association, et al.*, Case No. 4:15-cv-00178 JCS (the “*Hartman Action*”) should be related to this Multi-District Litigation entitled *In Re: National Collegiate Athletic Association Athletic Grant-In-Aid Cap Antitrust Litigation* (MDL Dkt. 190);

WHEREAS that motion was granted on February 9, 2015 (MDL Dkt. 191);

WHEREAS Counsel for the Plaintiffs in the *Hartman Action* agree by this stipulation to add the *Hartman Action* Plaintiffs Ms. Hartman and Ms. Jemerigbe and their claims to the Consolidated Amended Complaint in this MDL;

WHEREAS the parties have agreed that Plaintiff Justine Hartman’s deadline to respond to the NCAA’s First Set of Interrogatories to All Plaintiffs and Defendants’ First Set of Requests for Production of Documents to All Plaintiffs will be February 20, 2015, and Plaintiff Afure Jemerigbe’s deadline to respond to NCAA’s First Set of Interrogatories to All Plaintiffs and Defendants’ First Set of Requests for Production of Documents to All Plaintiffs will be March 1, 2015; and

WHEREAS Defendants have previously answered the Consolidated Amended Complaint (MDL Dkt. 145-149, 151, 154, 156, 158-161).

THEREFORE, the MDL Plaintiffs’ Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the *Hartman Action*, and all Defendants’ counsel hereby stipulate and agree that Plaintiffs Justine Hartman and Afure Jemerigbe shall be treated as additional plaintiffs in the MDL action’s Consolidated Amended Complaint (MDL Dkt. 60), and that the *Hartman* Complaint shall be deemed amended and replaced by the Consolidated Amended Complaint and paragraphs 19-37

of the *Hartman* Complaint describing Plaintiffs Justine Hartman and Afure Jemerigbe are hereby incorporated into the Consolidated Amended Complaint as paragraphs 138A-S.

The MDL Plaintiffs' Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the *Hartman* Action, and all Defendants' counsel further stipulate and agree that Defendants' Answers to the Consolidated Amended Complaint shall be deemed amended to respond to paragraphs 138A-S to state that: (i) each Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraphs 138A-I and paragraphs 138K-R and on that basis denies them; (ii) each Defendant denies the allegations in paragraphs 138J and 138S. By virtue of the above described amendment and incorporation, Defendants are relieved of any further obligation to respond separately to the *Hartman* Complaint.

The MDL Plaintiffs' Interim Co-Lead Class Counsel, counsel for the Plaintiffs in the *Hartman* Action, and all Defendants' counsel further stipulate and agree that Plaintiff Justine Hartman's deadline to respond to the NCAA's First Set of Interrogatories to All Plaintiffs and Defendants' First Set of Requests for Production of Documents to All Plaintiffs will be February 20, 2015, and Plaintiff Afure Jemerigbe's deadline to respond to the NCAA's First Set of Interrogatories to All Plaintiffs and Defendants' First Set of Requests for Production of Documents to All Plaintiffs will be March 1, 2015.

The undersigned Interim Co-Lead Class Counsel, Bruce L. Simon, hereby attests that counsel for Plaintiffs and Defendants have concurred in the filing of this stipulation, in accordance with Local Rule 5-1(i)(3).

DATED: February 17, 2015

HAGENS BERMAN SOBOL SHAPIRO LLP

By /s/ Steve W. Berman
STEVE W. BERMAN

Ashley Bede
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com
ashleyb@hbsslaw.com

PEARSON, SIMON & WARSHAW, LLP

By /s/ Bruce L. Simon

BRUCE L. SIMON

Aaron M. Sheanin (214472)
Benjamin E. Shiftan (265767)
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
bsimon@pswlaw.com
asheanin@pswlaw.com
bshiftan@pswlaw.com

Jon T. King (205073)
HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
jonk@hbsslaw.com

Plaintiffs' Interim Co-Lead Class Counsel

PRITZKER LEVINE LLP

By /s/ Elizabeth C. Pritzker

ELIZABETH C. PRITZKER

Elizabeth C. Pritzker (146267)
Jonathan K. Levine (220289)
Bethany L. Caracuzzo (190687)
Shiho Yamamoto (264741)
180 Grand Avenue, Suite 1390
Oakland, California 94612
Telephone: (415) 692-0772
Facsimile: (415) 366-6110
Email: ecp@pritzkerlevine.com;
jkl@pritzkerlevine.com;
bc@pritzkerlevine.com;
sy@pritzkerlevine.com

*Additional Class Counsel and Attorneys for Plaintiffs
Justine Hartman and Afure Jemerigbe*

PROSKAUER ROSE LLP

By /s/ Scott P. Cooper
SCOTT P. COOPER

Scott P. Cooper (SBN 96905)
Jennifer L. Jones (SBN 284624)
Sarah Kroll-Rosenbaum (SBN 272358)
Shawn S. Ledingham (SBN 275268)
2049 Century Park East, Suite 3200
Los Angeles, CA 90067
Telephone: (310) 557-2900
Facsimile: (310) 557-2193
Email: scooper@proskauer.com
Email: jljones@proskauer.com
Email: skroll-rosenbaum@proskauer.com
Email: sledingham@proskauer.com

Attorneys for Defendant Pacific 12 Conference

MAYER BROWN LLP

By /s/ Andrew S. Rosenman
ANDREW S. ROSENMAN

Andrew S. Rosenman (SBN 253764)
Britt M. Miller (*pro hac vice*)
71 South Wacker Drive
Chicago, IL 60606-4637
Telephone: (312) 782-0660
Facsimile: (312) 701-7711
Email: arosenman@mayerbrown.com
Email: bmiller@mayerbrown.com

Richard J. Favretto (*pro hac vice*)
MAYER BROWN LLP
1999 K Street, N.W.
Washington, D.C. 20006-1101
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
Email: rfavretto@mayerbrown.com

Attorneys for Defendant The Big Ten Conference, Inc.

ROBINSON BRADSHAW & HINSON

By /s/ Robert W. Fuller
ROBERT W. FULLER

Nathan C. Chase, Jr. (SBN 247526)
Robert W. Fuller, III (*pro hac vice*)
Mark W. Merritt (*pro hac vice*)
Lawrence C. Moore, III (*pro hac vice*)
Amanda R. Pickens (*pro hac vice*)
101 N. Tryon St., Suite 1900
Charlotte, NC 28246
Telephone: (704) 377-2536
Facsimile: (704) 378-4000
Email: nchase@rbh.com
Email: rfuller@rbh.com
Email: mmerritt@rbh.com
Email: lmoore@rbh.com
Email: apickens@rbh.com

Mark J. Seifert (SBN 217054)
Robert R. Moore (SBN 113818)
ALLEN MATKINS LECK GAMBLE MALLORY &
NATSIS LLP
Three Embarcadero Center, 12th Floor
San Francisco, CA 94111
Telephone: (415) 837-1515
Facsimile: (415) 837-1516
Email: mseifert@allenmatkins.com
Email: rmoore@allenmatkins.com

Attorneys for Defendant Southeastern Conference

SMITH MOORE LEATHERWOOD LLP

By /s/ D. Erik Albright
D. ERIK ALBRIGHT

D. Erik Albright (*pro hac vice*)
300 North Greene Street, Suite 1400
Greensboro, NC 27401
Telephone: (336) 378-5368
Facsimile: (336) 433-7402
Email:erik.albright@smithmoorelaw.com

Jonathan P. Heyl (*pro hac vice*)
101 N. Tryon Street, Suite 1300
Charlotte, NC 28246
Telephone: (704) 384-2625
Facsimile: (704) 384-2909
Email:jon.hey@smithmoorelaw.com

Charles LaGrange Coleman, III (SBN 65496)
HOLLAND & KNIGHT LLP
50 California Street, Suite 2800
San Francisco, CA 94111-4624
Telephone: (415) 743-6900
Facsimile: (415) 743-6910
Email: ccoleman@hklaw.com

Attorneys for Defendant Atlantic Coast Conference

POLSINELLI PC

By /s/ Leane K. Capps
LEANE K. CAPPS

Leane K. Capps (*pro hac vice*)
POLSINELLI PC
Saint Ann Court
2501 N. Harwood Street, Suite 1900
Dallas, TX 75201
Telephone: (214) 397-0030
Email: lcapps@polsinelli.com

Amy D. Fitts (*pro hac vice*)
POLSINELLI PC
120 W. 12th Street
Kansas City, MO 64105
Telephone: (816) 218-1255
Email: afitts@polsinelli.com

Wesley D. Hurst (SBN 127564)
POLSINELLI LLP
2049 Century Park East, Suite 2300
Los Angeles, CA 90067
Telephone: (310) 556-1801
Email: whurst@polsinelli.com

*Attorneys for Defendant The Big 12 Conference, Inc.
and Conference USA*

SKADDEN ARPS SLATE MEAGHER & FLOM
LLP

By /s/ Karen Hoffman Lent
KAREN HOFFMAN LENT

Raoul D. Kennedy (SBN 40892)
525 University Avenue, Suite 1100
Palo Alto, California 94301
Telephone: (650) 470-4500
Facsimile: (650) 470-4570
Email: raoul.kennedy@skadden.com

Jeffrey Mishkin (*pro hac vice*)
Anthony J. Dreyer (*pro hac vice*)
Karen Hoffman Lent (*pro hac vice*)
Four Times Square
New York, NY 10036
Telephone: (212) 735-3000
Facsimile (212) 735-2000

Email: jeffrey.mishkin@skadden.com
Email: anthony.dreyer@skadden.com
Email: karen.lent@skadden.com

Robert J. Wierenga (SBN 183687)
Gregory L. Curtner (*pro hac vice*)
Kimberly K. Kefalas (*pro hac vice*)
Jacob K. Danziger (SBN 278219)
SCHIFF HARDIN LLP
350 S. Main St., Suite 210
Ann Arbor, MI 48104
Telephone: (734) 222-1500
Facsimile: (734) 222-1501
Email: rwierenga@schiffhardin.com
Email: gcurtner@schiffhardin.com
Email: kkefalas@schiffhardin.com
Email: jdanziger@schiffhardin.com

Attorneys for Defendant National Collegiate Athletic Association

COVINGTON & BURLING LLP

By /s/ Benjamin C. Block
BENJAMIN C. BLOCK

Benjamin C. Block (*pro hac vice*)
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
Telephone: (202) 662-5205
Facsimile: (202) 778-5205
Email: bblock@cov.com

Matthew D. Kellogg (SBN 280541)
One Front Street
San Francisco, CA 94111-5356
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
Email: mkellogg@cov.com

Attorneys for American Athletic Conference

JONES WALKER LLP

By /s/ Mark Cunningham
MARK A. CUNNINGHAM

Mark A. Cunningham (*pro hac vice*)
201 St. Charles Avenue
New Orleans, LA 70170-5100
Telephone: (504) 582-8536
Facsimile: (504) 589-8536
Email: mcunningham@joneswalker.com

Attorneys for Defendant Sun Belt Conference

FOX ROTHSCHILD LLP

By /s/ Jeffrey D. Polsky
JEFFREY D. POLSKY

Jeffrey D. Polsky (SBN 120975)
235 Pine Street, Suite 1500
San Francisco, CA 94104
Telephone: (415) 364-5540
Facsimile: (415) 391-4436
Email: jpolsky@foxrothschild.com

Attorneys for Defendant Atlantic Sun Conference

WALTER | HAVERFIELD LLP

By /s/ R. Todd Hunt
R. TODD HUNT

R. Todd Hunt (*pro hac vice*)
The Tower at Erieview
1301 E. 9th Street, Suite 3500
Cleveland, OH 44114-1821
Telephone: (216) 928-2935
Facsimile: (216) 916-2372
Email: rthunt@walterhav.com

Attorneys for Defendant Mid-American Conference

BRYAN CAVE LLP

By /s/ Adam Brezine
ADAM BREZINE

Adam Brezine (SBN 220852)
560 Mission Street, 25th Floor
San Francisco, CA 94105
Telephone: (415) 674-3400
Facsimile: (415) 675-3434
Email: adam.brezine@bryancave.com

Richard Young (*pro hac vice* application to be filed)
Brent Rychener (*pro hac vice* application to be filed)
90 South Cascade Avenue, Suite 1300
Colorado Springs, CO 80903
Telephone: (719) 473-3800
Facsimile: (719) 633-1518
Email: richard.young@bryancave.com
Email: brent.rychener@bryancave.com

Attorneys for Defendant Mountain West Conference

BRADLEY DEVITT HAAS & WATKINS, P.C.


By Jon T. Bradley
JON T. BRADLEY

Jon T. Bradley (*pro hac vice* application to be filed)
2201 Ford Street
Golden, CO 80401
Telephone: (303) 384-9228
Facsimile: (303) 384-9231
Email: jon@goldenlawyers.com

Attorneys for Defendant Western Athletic Conference

**PURSUANT TO STIPULATION,
IT IS SO ORDERED.**

DATED: February 18, 2015



THE HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE